IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

FRIDAY, THE 13TH JULY 2007 / 22ND ASHADHA 1929

Crl.MC.No. 2181 of 2007()

[CRIME NO.55/2002 OF IRIKKUR POLICE STATION]

.....

PETITIONER: ACCUSED

M.K.HABEEB, S/O IBRAHIM,
AGED 32 YEARS, MALAPPATTAM AMSOM,
CHOOLIYAD DESOM, TALIPARAMBA TALUK.

BY ADV. SRI.C.K.SREEJITH

RESPONDENTS: RESPONDENTS

---

1. STATE OF KERALA, REP. BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,ERNAKULAM.

2. S.H.O.IRIKKUR POLICE STATION,
KANNUR DIST. REP. BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA.

BY PUBLIC PROSECUTOR SRI.M.S.BREEZ

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 13/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J.

Crl.M.C.No.2181 of 2007

Dated this the 13th day of July 2007

O R D E R

The petitioner has been granted bail as per the order of the learned Sessions Judge dated 02/04/2007. The bail was granted subject to conditions. There was a condition that the petitioner must surrender his passport before the learned Sessions Judge. The petitioner has not complied with the said direction. According to the petitioner, he has lost his passport.

2. According to me, the petitioner must, in these circumstances, appear before the learned Sessions Judge and apply for modification of the conditions. He may place relevant materials before the learned Sessions Judge to satisfy the learned Sessions Judge that, as a matter of fact, that he has lost his passport. It is for the learned Sessions Judge to pass appropriate orders after verifying the acceptability of the statement that the passport is lost. Appropriate orders shall be passed by the learned Sessions Judge after hearing the petitioner and the Prosecutor, if and when such an application is filed.

3. This Criminal Miscellaneous Case is in these circumstances dismissed.

(R.BASANT, JUDGE)

jsr

// True Copy// PA to Judge

R.BASANT, J.

CRL.M.CNo.

ORDER

21ST DAY OF MAY2007